



City of Rochester

City Clerk's Office

## Certified Resolution

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Rochester, N.Y., \_\_\_\_\_

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### TO WHOM IT MAY CONCERN:

I hereby certify that at a meeting of the Council of the City of Rochester, held in the City Hall, on **August 9, 2016**, a resolution was **Adopted**, of which the following is a true copy; and at the time said resolution was adopted, the Council consisted of nine (9) members.

Resolution No. 2016-22

#### **Resolution adopting a policy regarding City boards and commissions**

BE IT RESOLVED, by the Council of the City of Rochester, as follows:

Section 1. The Council hereby adopts the following policy:

#### **Policy Regarding City of Rochester Boards and Commissions**

The City Charter gives City Council the power of approval for mayoral appointments and reappointments to City Boards and Commissions. In order to better establish objective standards regarding appointments, to create new service opportunities and to add fresh perspectives to the City Boards and Commissions (collectively, the "Boards"), the Council hereby adopts the following guidelines:

**Term Limits.** To promote community involvement and engagement:

- Each Board member should be limited to a maximum of three (3) consecutive terms on a single Board. Board members who have reached this limit may serve again but the member's return should follow a minimum of two (2) years off of the Board.
- An individual who has reached the term limit for one Board remains eligible to serve on another Board.
- In order to provide continuity and mentorship to the Board and its new members, a termed-out member may also be appointed to an alternate position on the same Board where he or she has reached a term limit.

- Due to specific legal requirements, the following Boards are exempted from this term limit guideline: Examining Board of Plumbers, Board of Stationary Engineers, Electrical Examining Board, Elevator Examining Board, Library Board of Trustees and Board of Ethics. Nevertheless, the City should seek out qualified new members for the exempt Boards in order to promote the policy objectives of this guideline.

**Minimum Attendance.** To ensure continued interest of appointees and the effectiveness of the Boards:

- Each Board member should have a *minimum* 50 percent attendance rate prior to being considered for reappointment.
- However, when deciding whether to deny reappointment to a Board member who has not met this attendance guideline, Council should review the member's record and take into account instances of excused absences for serious illness or bereavement.

**Suitable Meeting Times.** To ensure that the best potential candidates for Boards are able to attend the regularly scheduled meeting times, the Council recommends that the City Administration review the meeting times for all Boards to ensure they are appropriate for the professions and occupations of their members and for the attendees of the meetings.

**Increased Marketing and Promotion.** To increase the visibility and public understanding of City Boards, and to recruit new talent for these positions, the City Administration should take an active role in promoting and marketing available Board positions where possible.

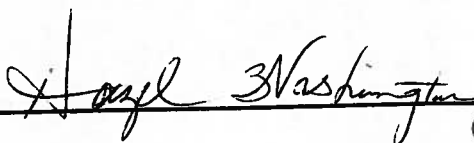
**Periodic Review.** The City Administration should perform a periodic review of each Board every two (2) years. The review of the Boards will ensure: adequate community involvement, appropriate activity through attendance, and that the qualifications and representation still meet the goals and needs of the City of Rochester.

Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - 0.

Attest   
City Clerk



**City of Rochester**

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### **TO WHOM IT MAY CONCERN:**

I hereby certify that at a meeting of the Council of the City of Rochester, held in the City Hall, on **August 9, 2016**, a resolution was **Adopted**, of which the following is a true copy; and at the time said resolution was adopted, the Council consisted of nine (9) members.

**Resolution No. 2016-23**

#### **Resolution Amending The Rules Of Council**

**BE IT RESOLVED**, by the Council of the City of Rochester as follows:

Section 1. The Council hereby amends the dates of regular meetings of the Council for the year 2016, as adopted by Resolution No. 2016-4, by changing the date of the regular meeting in the month of September, 2016 as follows:

I. **REGULAR MEETINGS** - Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 7:30 P.M., on the following dates in 2016:

January 19  
February 16  
March 22  
April 20  
May 17  
June 14  
July 12  
August 9  
~~September 13~~  
September 14  
October 18  
November 15  
December 20

and also at such other times as the Council may by adjournment to a day certain appoint. The regular meeting schedule for 2017 shall be established in a resolution adopted in 2016. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.


Section 2. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest



City Clerk



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-254

### **Amending the 2016-17 Budget of the Library and accepting funds for library facility improvements**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for the 2016-17 Budget of the Library by \$80,000 to reflect receipt of that amount from a New York State Education Department library grant (Bullet Aid).

Section 2. Said \$80,000 in Bullet Aid is hereby appropriated for the following programs:

- \$15,000 for high school equivalency exam tutoring/classwork services for the Lyell Branch and Maplewood Community libraries.
- \$30,000 for literacy enrichment programming at the Douglass and Wheatley community libraries and the Arnett Branch Library.
- \$5,000 for materials and labor to construct a "Books by Bike" trailer.
- \$15,000 for enhancements to public information technology (IT) equipment, and literacy enrichment programming at the Monroe, Sully and Winton branch libraries.
- \$15,000 for interior play equipment for the Toy Library located at the Lincoln Branch Library.

Section 3. The Library is hereby authorized to accept and use \$50,000 in State and Municipal Facilities program funds from the Dormitory Authority of the State of New York for improvements and upgrades to the Lincoln Branch Library.

Section 4. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Conklin abstained due to professional reasons

**Attest** *Hazel Washington*  
City Clerk





**City of Rochester**

**City Clerks Office**

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Ordinance No. 2016-255

### **Authorizing an amendatory agreement for expert witness services for the Law Department**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement between the City and Legal Med, LLC to amend the professional services agreement for expert witness services in conjunction with pending litigation that was authorized in Ordinance No. 2016-224 so as to increase the maximum compensation by \$9,000 to a total of \$40,000.

Section 2. The amount of \$9,000 from the 2016-17 Budget of the Law Department is hereby appropriated to fund the amendatory agreement. The term of the amendatory agreement may extend until completion of the court case for which each expert's services is requested.

Section 3. The amendatory agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**





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Ordinance No. 2016-256

### **Authorizing an amendatory agreement for advice and services related to compliance with the Uniform Relocation Act**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement between the City and R.K. Hite & Co., Inc. to amend the professional services agreement for advice and services related to compliance with the federal Uniform Relocation Act authorized in Ordinance No. 2015-286 so as to increase the maximum compensation by \$80,000 to a total of \$120,000.

Section 2. The amount of \$80,000 from 2016-17 Cash Capital is hereby appropriated to fund the amendatory agreement. The term of the original agreement, which is one year with the option to renew for up to two additional one-year periods upon the mutual written consent of the parties, shall remain unchanged.

Section 3. The amendatory agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

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Ordinance No. 2016-257

**Authorizing an agreement with General Code, LLC to provide enterprise content management system services, as amended**

**BE IT ORDAINED** by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with General Code, LLC to provide implementation services related to the enterprise content management system.

Section 2. The maximum compensation under the agreement is \$525,000 and shall be funded as follows:

<u>Prior Years' 2016-17</u> Cash Capital	\$375,000
2016-17 Budget of Information Technology	50,000
2017-18 Budget of Information Technology	50,000
2018-19 Budget of Information Technology	50,000

Of that amount, \$100,000 shall be contingent upon the approval of future budgets.

Section 3. The agreement shall have a term of three years.

Section 4. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



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Ordinance No. 2016-258

### **Authorizing an agreement for risk management consulting services**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Freed Maxick CPAs, P.C. for risk management consulting services. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid under the agreement, and shall be funded from the 2016-17 Budget of Undistributed.

Section 2. The agreement shall have a term of one year and shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



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Ordinance No. 2016-259

### **Amending Ordinance No. 2016-8 in relation to a loan agreement to fund the Sibley Building Redevelopment - Phase I**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Sections 2, 5 and 6 of the Ordinance No. 2016-8, which authorize the Mayor to enter into a \$1,995,000 loan agreement with the developer to finance Phase I of the redevelopment of the Sibley Building located at 228-280 East Main Street (the Project), are hereby amended to read in their entirety as follows:

Section 2. The Mayor is hereby authorized to enter into a loan agreement with the designated developer (the Developer) Sibley Affordable LLC, or an affiliated LLC, partnership or housing development fund company to be formed by WinnDevelopment Company Limited Partnership Winn Development, LLC for construction financing and permanent financing for Phase I of the Project. The loan agreement shall be in the amount of \$1,995,000 at 2% interest with interest only to be paid annually. The loan shall be contingent upon WCredit LLC or another affiliate of WinnDevelopment providing the City with an acceptable Completion Guaranty for Phase I of the Project. When the loan is converted to permanent financing, it shall be in the amount of \$1,995,000 and for a term of 30 years with interest at 2% paid annually. Principal payment shall be deferred to the end of the term of the loan.

The Developer's annual interest-only payments of 2% of the loan principal (\$39,900) shall be subject to the following additional terms:



- a. the payments shall be dependent on the Developer's cash flow, provided that in any year wherein the Developer's cash flow is less than \$39,900 plus any accrued unpaid interest from a prior years (collectively, the Annual Payment), the City shall have recourse to the two funds specified in the following clauses b. and c. in alphabetical order of precedence up to the remaining Annual Payment amount due, and provided that any Annual Payment amount that remains unpaid after recourse to those two funds shall be added to the Annual Payment that Developer will owe for the following year;
- b. when necessary to satisfy the Developer's Annual Payment obligation, the City shall be entitled to up to 50% of all of the Developer's surplus cash flow that remains after its payment of permanent Project debt service owed to The Community Preservation Corporation and to the New York State Housing Trust Fund Corporation;
- c. when necessary to satisfy the Developer's Annual Payment obligation, the City shall be entitled to up to 50% of the Project management fee and the Developer's and/or its affiliate's entitlement to such management fee shall be subordinated to the Developer's Annual Payment obligation; moreover, the amount of the Project management fee that is subordinated and paid to the City pursuant to this clause c shall not accrue to be paid to the Developer or any affiliate until after all outstanding balances of accrued loan interest are paid to the City;
- d. neither the Developer, WinnDevelopment, nor any other affiliate shall require or allow their entitlement to payment of the Project deferred developer fee to be made senior to the City's entitlement to share in the surplus cash flow and Project management funds described in clauses b. and c. above and the deferred developer fee shall not accrue to be paid to the Developer or any affiliate until after all outstanding balances of accrued loan interest are paid to the City;
- e. each year, WinnDevelopment shall submit to the City an annual audit of the Developer that is performed by a third-party certified public accounting firm and that includes a calculation of the Developer's surplus cash flow, management fee and developer fee described in clauses b., c. and d. above.

The loan agreement amount shall be funded as specified below, which funds are hereby appropriated for said purpose:

<u>Amount</u>	<u>Year/Source</u>
\$ 115,995.29	2014-15 HOME Program -- Affordable Housing Fund allocation of the Housing Development Fund
\$ 665,649.00	2015-16 HOME Program -- Affordable Housing Fund allocation of the Housing Development Fund
<u>\$1,213,355.71</u>	Prior Years' Cash Capital
\$1,995,000.00	Total

...

Section 5. The Director of Finance shall record all transfers authorized herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance and any amendment thereto.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is authorized to execute such agreements and other documents as may be necessary to effectuate the loans and agreements authorized or amended herein and to adjust the interest rates and other terms and conditions of the loans in order to conform to legal and other requirements for each phase of the Project.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest

Angela Washington

City Clerk



# City of Rochester

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Ordinance No. 2016-260

#### Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
86-88 Emerson St	105.43-1-34	40 x 102	4,034	\$425	Ezra Kalekristos
466 Hawley St.	120.75-1-69.1	80 x 109	8,783	\$525	Joyce A. Williams
234 Wilkins St, east 1/2	106.24-1-78	20 x 102	2,040	\$225	Rocky Vazquez
234 Wilkins St, west 1/2	106.24-1-78	20 x 102	2,040	\$225	Clara Hunter

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
146 Barton St	135.27-3-70	36 x 63	2,280	Dianne Johnson & Darlene Snowden
55 Durnan St	091.81-1-21.1	72 x 83	6,078	Joshua Antonetti

119 Evergreen St	106.38-1-25.2	43 x 71	3,094	David Ramos, Jr.
20 Friederich Pk	106.24-2-53.1	72 x 65	4,698	Vera Crumpler

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Azel Washington*

**City Clerk**



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Ordinance No. 2016-261

**Amending Chapter 120 of the Municipal Code with respect to restaurants, bars and accessory outdoor seating and assembly areas in the C-1 Neighborhood Center zoning district**

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by amending Section 120-34 read in its entirety as follows:

§ 120-34. Permitted uses and structures.

The following uses are permitted in the C-1 District when conducted entirely within an enclosed building:

- A. Attached single-family dwellings.
- B. Dwelling units when part of a mixed-use development with other permitted commercial uses.
- C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
- D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.
- E. Family and group family day-care homes.
- F. Adult family day-care homes.
- G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.



H. Places of worship.

I. Convents and rectories.

J. Public and semipublic uses, except as otherwise listed in § 120-35.

K. Retail sales and service, full-line food store, low-impact, and specialty, operating between the hours of 6:00 a.m. and 11:00 p.m., subject to the additional requirements for specified uses in §120-146.1.

L. (Reserved)

M. (Reserved)

N. Offices between the hours of 6:00 a.m. and 11:00 p.m.

O. Restaurants, including outdoor seating and assembly but excluding drive-through facilities, operating between the hours of 6:00 a.m. and 11:00 p.m., ~~including accessory outdoor seating/assembly areas but excluding drive-through facilities.~~

P. Restaurants licensed by New York State to sell alcoholic beverages for on-premises consumption pursuant to the Alcoholic Beverage Control Law, including accessory outdoor seating/assembly areas but excluding drive-through facilities, provided that the outdoor seating/assembly areas shall operate only between the hours of 6:00 a.m. and 11:00 p.m.

Q. Bars, including accessory outdoor seating/assembly areas, except that the outdoor seating/assembly areas shall operate only between the hours of 6:00 a.m. and 11:00 p.m.

R. Mixed uses, as listed in this section, not including industrial uses.

~~S. Where accessory outdoor seating/assembly areas are permitted, they shall operate only between the hours of 6:00 a.m. and 11:00 p.m.~~

Section 2. This ordinance shall take effect immediately.

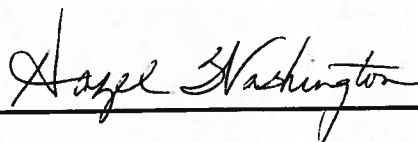
Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest



City Clerk





**City of Rochester**

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Ordinance No. 2016-262

### **Authorizing an agreement for the lease of space for Downtown District services**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Salem Evangelical Church of Rochester, NY for the lease of space at 151 Cumberland Street to be used for Downtown District services provided by the Department of Environmental Services. The agreement shall extend for a term of one year, with up to four additional one-year renewal options.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$1,200 in monthly rent. Said amount shall be funded from the 2016-17 and subsequent Operating Budgets of the Department of Environmental Services, conditioned upon approval of said subsequent budgets.

Section 3. The lease agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Aazel Washington*

**City Clerk**



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Ordinance No. 2016-263

### **Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to retail sales and service**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by deleting Section 120-146.1, Retail sales and service and pawnbrokers, in its entirety.

Section 2. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-208 thereof to add or delete certain definitions as follows:

#### **RETAIL SALES AND SERVICE**

**The sale, provision of service or on-premises incidental production or assembly of general merchandise to the general public for direct use or consumption. This shall include carry-out restaurants and the like with six or fewer seats.**

#### **~~RETAIL SALES AND SERVICE, FULL-LINE FOOD STORE~~**

~~Retail sales and service offering for sale a full selection of food products, including at least a variety of fresh produce, and not offering for sale products from more than one of the following categories:~~

~~A. Tobacco.~~

~~B. Lottery.~~

### ~~RETAIL SALES AND SERVICE, HIGH IMPACT~~

~~Retail sales and service, (excluding full-line food store), offering for sale any product or service that is within one or more of the following three categories:~~

- ~~A. Requires an owner, operator or employee to obtain a City of Rochester secondhand dealer's license (excluding vehicle-related dealers);~~
- ~~B. Requires an owner, operator or employee to obtain any county or state license or registration for tobacco or lottery and/or a federal firearms dealer's license; or~~
- ~~C. Offering for sale tobacco, tobacco paraphernalia or smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the on-site inhaling or smoking of such products.~~

### ~~RETAIL SALES AND SERVICE, LOW IMPACT~~

~~Retail sales and service not meeting the definitions of "high impact retail sales and service," "specialty retail," or a "full-line food store."~~

### ~~RETAIL SALES AND SERVICE, SPECIALTY~~

~~Low impact retail sales and service, occupying less than 1,000 square feet, offering for sale only specialized types of foods, products, or services, including, but not limited to, baked goods, candy, health food, antiques, fashion accessories, sporting goods, art objects, art and craft supplies, books, clothing, decorative accessories, flowers and plants, handicrafts, jewelry, toys, specialty foods, meats, seafood, shoe repair, and frame shops, and excluding tattoo parlors. No tobacco or lottery may be included in the inventory of specialty retail sales and service.~~

### SECONDHAND DEALER

A business required to be licensed as a secondhand dealer in accordance with Municipal Code Chapter 96, Secondhand Dealers, excluding vehicle related dealers.

Section 3. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by amending certain portions of the sections thereof that specify the permitted, special permit, limited and prohibited uses within various zoning districts as follows:

#### § 120-8. Permitted uses.

The following uses are permitted in the R-1 District:

~~H. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146.1.~~

I H. Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.

§ 120-9. Special permit uses.

The following uses are allowed as special permit uses in the R-1 District:

~~G. Retail sales and service, full line food store and low impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-17. Permitted uses.

The following uses are permitted in the R-2 District:

~~I. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.~~

J I. Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.

§ 120-18. Special permit uses.

The following uses are allowed as special permit uses in the R-2 District:

~~M. Retail sales and service, full line food store and low impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-26. Permitted uses.

The following uses are permitted in the R-3 District:

~~M. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, between the hours of 6:00 a.m. to 9:00 p.m. and subject to the additional requirements for specified uses in § 120-146.1.~~

N-M. Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.

§ 120-27. Special permit uses.

The following uses are allowed as special permit uses in the R-3 District:

~~L. Retail sales and service, full line food store and low impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146.1.~~



§ 120-34. Permitted uses and structures.

The following uses are permitted in the C-1 District when conducted entirely within an enclosed building:

K. ~~Retail sales and service, full-line food store, low impact, and specialty, operating between the hours of 6:00 a.m. and 11:00 p.m., subject to the additional requirements for specified uses in § 120-146.1 provided, however,~~ that retail sales and service establishments licensed by New York State to sell alcoholic beverages pursuant to the Alcoholic Beverage Control Law may operate beyond the hours specified herein to the extent that the alcoholic beverage license so provides.

§ 120-35. Special permit uses.

The following uses are allowed as special permit uses in the C-1 District:

I. ~~Retail sales and services, full-line food store, low impact, and specialty, operating beyond the hours of 6:00 a.m. to 11:00 p.m. provided, however,~~ that retail sales and service establishments licensed by New York State to sell alcoholic beverages pursuant to the Alcoholic Beverage Control Law shall not be required to obtain a special permit to operate beyond the hours specified herein to the extent that the alcoholic beverage license authorizes the additional operating hours.

§ 120-42. Permitted uses and structures.

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m.:

M. ~~Retail sales and service, full-line food store, low impact, and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

T. ~~Secondhand dealers. Retail sales and service, high impact, limited to the hours of 6:00 a.m. to 2:00 a.m. and subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-50. Permitted uses and structures.

The following uses are permitted in the C-3 District:

K. ~~Retail sales and service, full-line food store, subject to the additional requirements for specified uses in § 120-146.1.~~



~~L. Retail sales and service, high impact, subject to the additional requirements for specified uses in § 120-146.1.~~

~~M. Retail sales and service, low impact, subject to the additional requirements for specified uses in § 120-146.1.~~

~~N. Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

L. O. Health clubs and similar facilities.

M. P. Theaters.

N. Q. Amusement center.

O. R. Outdoor entertainment.

P. S. Office.

Q. T. Motels and hotels.

R. U. Bars, restaurants and banquet facilities, including outdoor seating/assembly and drive-throughs, subject to the additional requirements for specified uses in § 120-136.

S. V. Drive-throughs, subject to the additional requirements for specified uses in § 120-136.

T. W. Warehouse and wholesale distribution facilities under 15,000 square feet.

U. X. Light industrial services when conducted entirely within a completely enclosed building.

V. Y. Research laboratories including testing facilities.

W. Z. Automotive-related uses, including car washes, vehicle service stations, vehicle sales, vehicle rental services, vehicle repair stations including commercial vehicle repair, and vehicle sales accessory to vehicle repair stations, subject to the additional requirements for specified uses in Article XVIII.

X. AA. Parking lots as a principal use, including ancillary community garages and parking lots, subject to the additional requirements for specified uses in § 120-131.

Y. BB. Sexually oriented businesses, subject to the additional requirements for specified uses in § 120-148, including only limited adult retail store, adult retail store and escort agency.

Z. Pawnbrokers.

AA. Secondhand dealers.

~~CC. Pawnbrokers, subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-63. Limited uses.

The following limited uses in the CCD Center City District shall meet the requirements set forth in Article XVIII, Additional Requirements for Specified Uses:

~~F. Retail sales and service, high impact.~~

§ 120-76. PMV Public Market Village District.

A. Permitted uses and structures. The following uses are permitted in the PMV District:

- ~~(10) Retail sales and service, low impact, subject to the additional requirements for specified uses in § 120-146.1.~~
- ~~(11) Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146.1.~~
- ~~(12) Retail sales and service, full line food store, subject to the additional requirements for specified uses in § 120-146.1.~~
- (11) ~~(13)~~ Bars, restaurants and the like including outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., but excluding drive-through facilities.
- (12) ~~(14)~~ Manufacturing uses when the products are sold as retail for an individual consumer.
- (13) ~~(15)~~ Parks and recreation uses.

§ 120-77. H-V Harbortown Village District.

A. Permitted uses and structures. The following uses are permitted as of right in the H-V Harbortown Village District:

(7) The following uses are permitted as of right in the H-V Harbortown Village District if located 30 feet or more from the edge of the Genesee River, subject to site plan approval:

- ~~(f) Retail sales and services, specialty.~~
- (g) ~~(f)~~ Retail sales and services, ~~low impact~~, not exceeding 2,500 square feet.

B. Special permit uses. The following uses are allowed as special permit uses in the H-V District:

- ~~(13) Retail sales and service, full line food store, subject to the additional requirements for specified uses in § 120-146.1.~~
- (13) ~~(14)~~ Outdoor storage, subject to the additional requirements set forth in § 120-175.

§ 120-81. Permitted uses and structures.

A. The following uses are permitted in the M-1 District:

- (1) The following uses are permitted when conducted in a fully enclosed building:

(n) Retail sales and service, ~~full-line food store, when in an existing building, subject to the additional requirements for specified uses in § 120-146.1.~~

B. The following uses are permitted in the M-1 District when located in any existing multistory building or a single-story building not originally designed for industrial purposes:

- (3) Retail sales and service, ~~low impact, subject to the additional requirements for specified uses in § 120-146.1.~~
- ~~(4) Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146.1.~~
- ~~(4) (5) Offices and clinics.~~
- ~~(5) (6) Bars, restaurants and banquet facilities.~~
- ~~(6) (7) Entertainment, subject to the additional requirements for specified uses in § 120-137.~~
- ~~(7) (8) Public and semipublic uses.~~
- ~~(8) (9) Day-care centers.~~
- ~~(9) (10) Funeral parlors and mortuaries.~~
- ~~(10) (11) Places of worship.~~
- (11) Pawnbrokers.
- (12) Secondhand dealers.

§ 120-83. Special permit uses.

The following uses are allowed as special permit uses in the M-1 District:

A. The following uses, when located in a single-story building originally designed for industrial purposes or a vacant lot, subject to a marketability analysis as set forth in § 120-192. The Planning Commission may, in approving a special permit, waive or modify the off-street parking requirements if it finds such action is warranted by reason of the nature of the occupancy, location of the property or availability of shared or public parking facilities.

(1) Retail sales and services, ~~high impact low impact and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

~~(11) Pawnbrokers, subject to the additional requirements for specified uses in § 120-146.1.~~

§ 120-120. Zoning designations and modifications.

L. Brooks Landing Urban Renewal District.

(1) Land use areas. The District is divided into three land use areas which are comparable to zoning districts listed in the Rochester Zoning Code:

The Open Space land use area (O-S) located along the edge of the

Genesee River will remain in City ownership as dedicated parkland. The Neighborhood Commercial land use area (C-1) provides infill development and renovation opportunities on the west side of Genesee Street and nearly two acres of new commercial development opportunities on the east side of Genesee Street north of Brooks Avenue.

The Riverfront Commercial land use area (C-2) on the east side of Genesee Street south of Brooks Avenue will provide unique riverfront development opportunities.

(b) Neighborhood Commercial Land Use. The Neighborhood Commercial land use area is comparable to the C-1 Neighborhood Center District. In the sections of the District designated on the Land Use Map as "C-1," all of the requirements of the C-1 shall apply, except as follows:

[1] Permitted uses. The following uses are permitted in the Neighborhood Commercial land use area when conducted entirely within an enclosed building:

[c] Retail sales and services, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

(c) Riverfront Commercial Land Use. The Riverfront Commercial land use area is comparable to the C-2 Neighborhood Center District. In the sections of the District designated on the Land Use Map as "C-2," all of the requirements of the C-2 shall apply, except as follows:

[1] Permitted uses:

[c] Retail sales and service, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146.1,~~ when conducted in an entirely closed building.

M. Erie Canal Urban Renewal District.

(1) Permitted uses:

(d) Retail sales and service, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

N. La Marketa North Clinton Avenue Urban Renewal District.

(1) All of the requirements of the C-2 Zoning District shall apply except as follows:

Permitted uses:

~~(b) Retail sales and service, full line food stores, low impact and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

(2) Special permit uses:

~~(e) Retail sales and service, high impact, subject to the additional requirements for specified uses in § 120-146.1.~~

Planned Development District No. 9  
(Canalside Business Center)

B. Permitted uses and structures.

(1) The following uses are permitted in Sub-Area 1 when located in an enclosed building:

~~(t) Retail sales and service, full line food store, high impact, low impact and specialty, subject to the additional requirements for specified uses in § 120-146.1.~~

Planned Development District No. 15  
Culver Road Armory

B. Permitted uses. The Culver Road Armory Planned Development District is comprised of three separate buildings as depicted on the development concept plan/site plan (Building I, Building II and Building III).

(1) All of the following uses are permitted in Buildings I, II and III. For nonresidential uses, all activities shall occur within a completely enclosed building, and the hours of operation shall be limited to 6:00 a.m. to 2:00 a.m.

~~(e) Retail sales and services, low impact, specialty and full line food.~~

D. Special permit uses.

~~(2) Retail sales and services, high impact, operating between the hours of 6:00 a.m. and 2:00 a.m.~~

~~(2) (3) Any temporary use which exceeds five occurrences per calendar year.~~

~~(3) (4) Bars, restaurants and banquet facilities in Building III.~~

~~(4) (5) Entertainment in Building III.~~

Planned Development District (No. 16)  
Century-Strathallan



B. Permitted uses. Permitted uses in PD No. 16 are specified for each of the three subareas comprising the district:

(3) Subarea 3: 566 East Avenue (main building and carriage house) and 586 East Avenue (parking lot).

(f) Retail sales and services, ~~specialty and low impact.~~

Section 4. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-159, Non-residential and mixed-use building standards, to amend subsections B(6) and B(7) thereof as follows:

B. Windows and transparency.

(6) The installation of any device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition includes the blocking of windows with interior shelving or the like, but does not apply to nonpermanent devices such as curtains, blinds, shades and nonopaque roll-down grills.

~~(7) In addition to the standards of this section, new construction and reoccupancy of an existing building with high impact retail sales and service and pawnbrokers are subject to the design standards of § 120-146.1B.~~

Section 5. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-199, Nonconforming use, to amend a subsection G(1) thereof as follows:

G. Abandonment or discontinuance.

(1) When the active operation of all or a portion of a nonconforming use is discontinued or abandoned for a period of nine consecutive months, ~~except for nonconforming high impact retail sales and service, for which the period shall be three consecutive months,~~ regardless of any intent to resume or not to abandon the use, the use or portion thereof shall not be reestablished or resumed. The active operation of a use shall be the typical or normal activities associated with the use. In the case of abandonment or discontinuance of all of a nonconforming use, any subsequent use or occupancy of such land or structure shall comply with the use regulations of the zoning district in which such structure is located. In the case of abandonment or discontinuance of a portion of a nonconforming use, the remaining occupied portion of the nonconforming use may continue subject to the provisions of this subsection.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined



Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest** *Hazel Washington*  
**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

**Ordinance No. 2016-264**

### **Amending Chapter 90 of the Municipal Code with respect to retail sales**

**BE IT ORDAINED** by the Council of the City of Rochester as follows:

Section 1. Chapter 90, Article II of the Municipal Code, Business Permits, as amended, is hereby further amended by amending Section 90-32, Definitions, to read in its entirety as follows:

As used in this chapter, the following terms shall have the meanings indicated:

#### **AUTOMOBILE SERVICE FACILITY**

A premises where motor vehicles are sold, leased, repaired or serviced. This definition shall include gasoline stations and car wash facilities.

#### **BAR**

A premises where alcoholic beverages are sold for consumption on the premises; or a premises operated for profit or pecuniary gain or as a place of assembly where alcoholic beverages are provided by the operator of the premises, his or her agents, servants or employees, or are brought onto said premises by persons assembling there.

## **BUSINESS**

An automobile service facility, bar, restaurant, ~~high impact retail store~~ or salon as defined herein.

## **~~HIGH IMPACT RETAIL STORE~~**

~~Any business not otherwise covered by this section which is accessible to the public, where food, goods, merchandise or equipment is sold at retail and where tobacco, tobacco paraphernalia, smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the on-site inhaling or smoking of such products, and/or lottery tickets are sold, in a premises with a total floor space of less than 20,000 square feet.~~

## **RESTAURANT**

A premises where food and/or beverages are sold to be consumed on the premises. This definition shall not include a premises where a nonalcoholic beverage or snack is available but is incidental to the conduct of the business at the premises.

## **SALON**

An establishment where a hairdresser, barber or beautician conducts his or her trade, or a body piercing studio or a tattoo studio, other than a home occupation.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest Hazel Washington  
City Clerk



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-265

### **Appropriating funds, authorizing amendatory agreements and amending the 2016-17 Consolidated Community Development Plan for Housing Opportunities for Persons with AIDS**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$31,034 in 2016-17 Housing Opportunities for Persons with AIDS (HOPWA) grant program funds from the Housing Choice fund of the Housing Opportunities for Persons with Aids account of the 2016-17 Consolidated Community Development Plan/Annual Action Plan is hereby appropriated to finance HOPWA program implementation.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with Trillium Health, Inc., to increase maximum compensation under the existing agreement authorized in Ordinance No. 2016-141 by \$18,621 for a total of \$401,369 and with Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services to increase maximum compensation under the existing agreement authorized in Ordinance No. 2016-151 by \$12,413 for a total of \$267,579. Said amounts shall be funded from the funds appropriated in Section 1. The agreement shall be for one year with an option to extend for an additional year if funds remain in the original appropriation.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. The Council hereby approves a technical amendment to the 2016-17 Consolidated Community Development Plan/Annual Action Plan adopted in Ordinance No. 2016-151 to revise HOPWA goals to provide 65 households with Short Term Rent Mortgage Utilities services and 55 households with Tenant-Based Rental Assistance services.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained due to professional reasons.

**Attest**

*Hazel Washington*

**City Clerk**





**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-266

### **Amending the Municipal Code with respect to parking lots**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 78 of the Municipal Code, Parking lots, relating to the regulation of private parking lots in certain zoning districts, is hereby deleted in its entirety.

Section 2. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

**Certified Ordinance**

---

**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-267

**Appropriating funds for the Helping Elders Law Project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Volunteer Legal Services Project of Monroe County to implement and manage the Helping Elders Law Project for a maximum compensation of \$30,000.

Section 2. There is hereby appropriated from the Seniors Program/Legal Services allocation of the General Community Needs fund of the 2016-17 Consolidated Community Development Plan – Annual Action Plan, the sum of \$30,000, or so much thereof as may be necessary, to fund the agreement.

Section 3. The agreement shall have a term of one year with the option to extend for an additional year if there are remaining funds from the appropriation in Section 2.

Section 4. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. The City will enter into agreements for this project only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall be effective immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest

*Hazel Washington*

City Clerk



**City of Rochester**

**City Clerks Office**

## **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-268

#### **Authorizing an amendatory professional services agreement and appropriating funds for the Mt. Hope Avenue Phase 2 Improvements**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The sum of \$313,600 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to finance a portion of the design services for the Mt. Hope Avenue Phase 2 Improvements (Project).

Section 2. The sum of \$120,000 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to finance a portion of the design services for the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to complete Project design and the bid and award of Project contracts and to increase the maximum compensation under the agreement authorized in Ordinance No. 2015-198 and amended in Ordinance No. 2016-243 by \$705,000 to a total of \$751,000.

Section 4. Said total amount shall be funded from the Federal funds appropriated in Section 1 (\$313,600), Federal funds appropriated by City Council in Ordinance No. 2015-243 (\$160,800), Marchiselli aid funds appropriated in Section 2 (\$93,969.45), Prior Years' Cash Capital (\$6,900), 2011-12 Cash Capital (\$41,204.71), 2013-14 Cash Capital (\$35,381.29), 2014-15 Cash Capital (\$57,172.34), and 2012-13 Cash Capital (\$41,972.21).

The agreement may extend until 6 months after completion and acceptance of the construction of the Project.

Section 5. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

Aazel Washington

**City Clerk**





**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-269

**Authorizing an amendatory agreement with Bergmann Associates for planning, design and engineering services, including preparation of an application for a federal Transportation Investment Generating Economic Recovery grant**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement between the City and Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to amend the professional services agreement for environmental services in connection with the Vacuum Oil site remediation that was authorized in Ordinance No. 2014-253. The amendatory agreement shall increase the original agreement's maximum compensation by \$50,000 for a total of \$775,000 and shall provide for planning, design and engineering services for the preparation of an application for a federal Transportation Investment Generating Economic Recovery (TIGER) grant and for implementing the recommended development alternative(s) derived from the planning and application process.

Section 2. The amount of \$50,000 in 2013-14 Cash Capital is hereby appropriated to fund the amendatory agreement. The amendatory agreement shall have an initial term of two years with provisions for up to two additional one-year extensions

Section 3. The amendatory agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-270

**Authorizing an amendatory professional services agreement with C & S Engineers, Inc. for the 2015 Preventive Maintenance Contract 1 project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and C & S Engineers, Inc. for design services for the 2015 Preventive Maintenance Contract 1 project (Project). The amendment shall increase the maximum compensation in the agreement authorized in Section 5 of Ordinance No. 2014-10 by \$12,000 to a total of \$184,000. Said amount shall be funded from 2012-13 Cash Capital. The term of the amendatory agreement may extend until six months after completion and acceptance of the construction of the Project.

Section 2. This amendatory agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest

*Hazel Washington*

City Clerk



**City of Rochester**

**City Clerks Office**

## **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2016-271

#### **Authorizing a professional services agreement, amendatory agreement, and appropriation of funds related to 2016 Preventive Maintenance, Group #3**

**BE IT ORDAINED** by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Erdman Anthony and Associates Inc. for project representation services related to 2016 Preventative Maintenance, Group #3 (Project). Maximum compensation shall be \$614,000, and shall be funded with \$431,200 from the Federal Highway Administration (FHWA) funds appropriated in Section 3; \$80,850 from the New York State Marchiselli Aid appropriated in Section 4; \$35,998 from New York State Multi Modal grant funds appropriated in Ordinance No. 2014-394; \$58,326 to be appropriated by a bond ordinance to fund Project street improvements; \$404 from Prior Years' Cash Capital; and \$7,222 from Monroe County Department of Transportation Cash Capital. The term of the agreement may extend until two years after completion and final acceptance of the Project.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Erdman Anthony and Associates Inc. that amends the agreement authorized in Ordinance No. 2014-394 to increase the maximum compensation by \$41,000, for a total compensation of \$330,000, and to provide for additional design services. The increased amount shall be funded \$37,955 from 2012-13 Cash Capital and \$3,045 from 2013-14 Cash Capital. The term of the amendatory agreement shall extend until six (6) months after completion and final acceptance of the Project.

Section 3. The agreement and amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. \$2,970,400 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to finance a portion of the construction and inspection services related to the Project.

Section 5. \$557,000 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to finance a portion of the construction and inspection services related to the Project.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**





**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law

Ordinance No. 2016-272

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$650,000 Bonds of said City to finance the reconstruction of certain portions of North Goodman Street, East Main Street, Allen, Brown and Wilder Streets and Morrie Silver Way related to the 2016 Preventive Maintenance, Group #3 project**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of milling, resurfacing and reconstruction of certain portions of North Goodman Street (Conrail to Garson Avenue), East Main Street (North Clinton to North Goodman), and portions of Allen Street, Brown Street, Wilder Street and Morrie Silver Way related to the 2016 Preventative Maintenance, Group #3 project in the City, including new curbing, sidewalks, manholes, basins, water valve castings and other roadway improvements (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,562,659. The plan of financing includes the issuance of \$650,000 bonds of the City, which amount is hereby appropriated therefor, \$2,970,400 in anticipated reimbursements from the Federal Highway Administration and \$557,000 in NYS Marchiselli Aid Program reimbursements, each authorized contemporaneously herewith, a \$274,000 NYS Multi-Modal Grant (Ordinance 2014-394), \$9,400 in Prior Years' Cash Capital, \$600 in 2014-15 Cash Capital, \$32,150 in 2011-12 Monroe County Department of Transportation Cash Capital, \$27,109 in 2013-14 Monroe County Department of Transportation Cash Capital, \$42,000 from the Rochester Pure Waters District (Ordinance No. 2016-160) and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$650,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$650,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest Hazel Washington  
City Clerk



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-273

### **Authorizing agreements and appropriating funds for the Driving Park Bridge Preventive Maintenance Project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for resident project representation (RPR) services for the Driving Park Bridge Preventative Maintenance Project (Project) in a maximum amount of \$700,000. The cost of said agreement shall be funded by portions of the appropriations of federal aid authorized in Section 4 (\$560,000), the State Marchiselli Aid appropriated in Section 5 (\$105,000), and proceeds from the previously issued bond authorized in Ordinance No. 2015-44 (\$35,000). The term of the agreement may extend until two years after final acceptance of the Project.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement between the City and LaBella Associates, D.P.C. to increase the maximum compensation under the Project design services agreement authorized in Ordinance No. 2012-370 by \$49,000 for a total of \$299,000. The amount of \$49,000 consisting of \$29,450 in 2012-13 Cash Capital and \$19,550 in 2014-15 Cash Capital is hereby appropriated to fund the amendatory agreement. The amendatory agreement may extend until six months after completion and acceptance of the construction of the Project.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. The sum of \$1,450,400 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund a portion of the federal share of the Project's construction, RPR services and Project administration.

Section 5. The sum of \$721,500 is hereby appropriated from anticipated reimbursements from the New York State Department of Transportation Marchiselli Aid Program to fund a portion of the Project's construction, RPR services and administration costs.

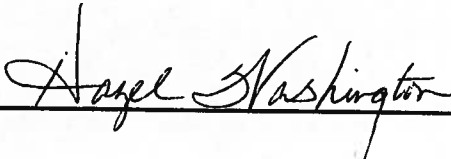
Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

  
\_\_\_\_\_

**City Clerk**





# City of Rochester

## City Clerks Office

# Certified Ordinance

Rochester, N.Y., \_\_\_\_\_

## TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-274

**Authorizing the acquisition by negotiation or condemnation of temporary easements, permanent easement and an uneconomic remainder parcel for the Dewey Avenue and Driving Park Intersection Realignment Project, as amended**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acquisition of the following temporary easements (T.E.), permanent easements (P.E.) and an uneconomic remainder parcel for street purposes as a part of the Dewey Avenue and Driving Park Intersection Realignment Project, as depicted in the referenced maps, which are on file with the City Clerk :

Address	Map #	Property Owner	Sq Ft and Type	Value
373-375 Driving Park Ave.	1	ARC PRRCRNY001, LLC	363 P.E. & 1,408 T.E.	\$4,400
380 Driving Park Ave.	2	Thanh Trieu	40 P.E. & 120 T.E.	\$300
374-376 Driving Park Ave.	3	Scott Ruthven	80 P.E. & 80 T.E.	\$ 400
368-370 Driving Park Ave.	4	Joseph M. DiJune	200 P.E. & 192 T.E.	\$1,000

875 Dewey Ave & 354 Driving Park Ave.	13 & 5	9274 Group, Inc.	16,277 P.E	\$1,035,500
875 Dewey Ave & 354 Driving Park Ave.	13 & 5	9274 Group, Inc.	17,691 T.E.	\$15,900
875 Dewey Ave & 354 Driving Park Ave.	13 & 5	9274 Group, Inc	Uneconomic Remainder	\$64,500
828-830 Dewey Ave.	6	Zhoubu Ni	48 T.E.	\$100
343 Driving Park Ave.	7	Total Information, Inc.	11 P.E.	\$100
321-331 Driving Park Ave.	8	321 Driving Park LLC	16 P.E.	\$100
320 Driving Park Ave.	9	Clinton E. Dixon	1,198 T.E.	\$2,400
315 Driving Park Ave.	10	Hudson Driving Garson LLC	57 P.E.	\$1,300
310 Driving Park Ave.	11	Almohanna LLC	84 T.E.	\$100
308 Driving Park Ave.	12	Michael E. Toombs	84 T.E.	\$100
877 Dewey Ave.	14	Isaac Benjamin	139 P.E. & 225 T.E.	\$700
881 Dewey Ave.	15	Tip Top Properties, LLC	78 P.E.	\$1,200

Section 2. The total acquisition costs, including closing costs and relocation expenses, in a maximum amount of \$1,213,277 shall be funded with \$713,512 in Federal Highway Administration funds appropriated in Ordinance No. 2016-158; with \$133,784 in New York State Marchiselli Aid funds appropriated in Ordinance No. 2016-158; with \$120,009 in ~~Dormitory Authority of the State of New York funds authorized in Ordinance No. 2015-120~~ from 2014-15 Cash Capital; with \$50,972 from Prior Years' Cash Capital; and with \$195,000 from 2012-13 Cash Capital.

Section 3. In the event that said easements and parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amounts of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said easements and parcel pursuant to the Eminent Domain Procedure Law.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Aazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-275

**Amending the Official Map by dedicating permanent easements to street purposes for the Dewey Avenue and Driving Park Intersection Realignment Project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating to street purposes the permanent easements over certain parcels, which were authorized for acquisition by another ordinance approved contemporaneously herewith, as part of the Dewey Avenue and Driving Park Intersection Realignment Project, as more particularly described in maps on file with the City Clerk, and by adding said dedications to Dewey and Driving Park avenues.

Section 2. The dedications authorized herein shall take effect upon acquisition by the City of the necessary permanent easements.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*  
\_\_\_\_\_  
**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-276

**Authorizing an agreement with Joseph C. Lu Engineering and Land Surveying, P.C. for resident project representation services for the Cornerstone Park Improvement Project**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering and Land Surveying, P.C., for resident project representation (RPR) services for the Cornerstone Park Improvement Project (Project) in a maximum amount of \$84,000. The cost of said agreement shall be funded from 2015-16 Cash Capital.

Section 2. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.



Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-277

### **Authorizing pavement width changes on Charlotte Street, as amended**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby authorizes the following pavement width changes on Charlotte Street:

- a) A ~~10-foot~~ 7-foot reduction in pavement width, from 30 feet to ~~20~~ 23 feet on Charlotte Street from Scio Street to 47 feet east of Scio Street; and
- b) A ~~2-foot reduction~~ 1-foot widening in pavement width, from 30 feet to ~~28~~ 31 feet on Charlotte Street from the point above to 87 feet east of Scio Street; and
- c) A ~~10-foot~~ 7-foot reduction in pavement width, from 30 feet to ~~20~~ 23 feet on Charlotte Street from the point above to 154 feet east of Scio Street; and
- d) A ~~2-foot reduction~~ 1-foot widening in pavement width, from 30 feet to ~~28~~ 31 feet on Charlotte Street from the point above to 194 feet east of Scio Street; and
- e) A ~~10-foot~~ 7-foot reduction in pavement width, from 30 feet to ~~20~~ 23 feet on Charlotte Street from the point above to ~~299~~ 315 feet east of Scio Street; and
- f) A ~~2-foot reduction~~ 1-foot widening in pavement width, from 30 feet to ~~28~~ 31 feet on Charlotte Street from the point above to 290 feet west of Pitkin Street; and
- g) A ~~10-foot~~ 7-foot reduction in pavement width, from 30 feet to ~~20~~ 23 feet on Charlotte Street from the point above to 188 feet west of Pitkin Street; and
- h) A ~~2-foot reduction~~ 1-foot widening in pavement width, from 30 feet to ~~28~~ 31 feet on Charlotte Street from the point above to 62 feet west of Pitkin Street; and
- i) A ~~10-foot~~ 7-foot reduction in pavement width, from 30 feet to ~~20~~ 23 feet on Charlotte Street from the point above to Pitkin Street.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

Angel Washington

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-278

### **Amending the 2016-17 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$32,000, which amount is hereby appropriated from unspent grant funds appropriated in the 2015-16 budget as shown below. Said funds shall be used for their original purpose.

#### **GRANT**

2015 Bomb Squad Initiative Grant  
2015 Explosive Detection Canine Grant  
Motor Vehicle Theft and Insurance Fraud  
Prevention  
Petco Grant  
Project Safe Neighborhoods  
Senator Ranzenhofer Grant  
Stop DWI 2016  
**Total**

#### **Carry Over Amount**

\$7,300  
\$700  
\$9,500  
\$3,000  
\$2,200  
\$6,000  
\$3,300  
**\$32,000**

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**





**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

**Ordinance No. 2016-279**

**Appropriating funds for smoke and carbon monoxide detectors and amending the budget appropriations of State Homeland Security Program funds**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

**Section 1.** The sum of \$50,000 is hereby appropriated from the Fire Department Equipment account of the General Community Needs Fund of the 2016-17 Consolidated Community Development Plan – Annual Action Plan to fund the purchase of smoke and carbon monoxide detectors and replacement batteries for the Rochester Fire Department to install in the residences of low and moderate income families.

**Section 2.** Ordinance No. 2016-218 regarding the State's grant and City appropriations of 2016 State Homeland Security Program (SHSP) funds is hereby revised in Section 3 thereof to read as follows:

**Section 3.** The 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by \$61,800 ~~\$61,776~~ and to the Budget for Undistributed Expenses by \$24,700 ~~\$24,624~~, which amounts are hereby appropriated from the 2016 SHSP grant for the purpose authorized herein.

**Section 3.** This ordinance shall take effect immediately.

Strikeout indicates deleted text; new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

Attest Hazel Washington  
City Clerk



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-280

### **Appropriation for the Mural Arts Project**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

Section 1. The sum of \$85,000 from the Job Creation/Youth Development allocation of the General Community Needs Fund of the 2016-17 Consolidated Community Development Plan – Annual Action Plan is hereby appropriated for the 2016-17 Mural Arts Project. The Project shall be comprised of the assembling of a “Roc Paint Division” mural arts team consisting of lead artists, a staff assistant, and youth workers to design and install murals at select R-Centers.

Section 2. Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for:

(a) the 2016-17 Budget of the Department of Recreation and Youth Services (“DRYS”) by \$70,500; and

(b) the 2016-17 Budget of Undistributed Expenses by \$5,400,

said amounts to be funded from a portion of the funds appropriated in Section 1 herein.

Section 3. The remainder (\$9,100) of the appropriation in Section 1 shall be allocated for Project supplies, field trips, and artistic training.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-281

**Authorizing an agreement with the Rochester Area Community Foundation for ROC the Future services**

**BE IT ORDAINED** by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation to support data collection and parent and community engagement efforts for the ROC the Future project.

Section 2. The maximum compensation under the agreement shall not exceed \$15,000, and shall be funded from the 2016-17 Budget of Undistributed Expenses. The term of the agreement shall be one year, with the option to extend the agreement for up to two additional one-year terms at an annual maximum compensation of \$15,000, contingent upon approval of subsequent budgets.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall be effective immediately.



Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Vice President Miller abstained due to professional reasons

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

**Ordinance No. 2016-282**

### **Authorizing an intermunicipal agreement and appropriations for the Pathways to Peace program**

**BE IT ORDAINED**, by the Council of the City of Rochester as follows:

**Section 1.** The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) for the City to provide youth intervention services to targeted students in RCSD schools through the Department of Recreation and Youth Services' (DRYS') Pathways to Peace program (Program).

**Section 2.** The agreement shall provide for the City's receipt and use of funding from the RCSD in the amount of \$108,800 for Program services.

**Section 3.** The term of the agreement shall be from September 1, 2016 to June 30, 2017, with the option to extend for up to four additional one-year terms for an annual compensation of \$108,800, contingent upon the approval of subsequent Budgets of the RCSD and the City.

**Section 4.** The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

**Section 5.** Ordinance No. 2016-180, the 2016-17 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to:

- a) the Budget of DRYS by the sum of \$103,500, and

- b) the Budget of Undistributed Expenses by the sum of \$5,300, both of which sums are hereby appropriated from funds to be received by the City under the agreement authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Hazel Washington*

**City Clerk**



**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-283

### **Authorizing amendatory agreements and funding for the Comprehensive Adolescent Pregnancy Prevention (CAPP) Program**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health (DOH) for receipt and use of \$33,722 in cost of living adjustment (COLA) funds for the Comprehensive Adolescent Pregnancy Prevention Program (Program), which was authorized by Ordinance No. 2014-359 and amended by Ordinance No. 2016-215.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations to increase their maximum compensation as follows:

<u>Organization</u>	<u>Previously Authorized</u>	<u>2016 Increase</u>	<u>Total</u>
U of R Medical Center/Highland Family Planning	\$23,235	\$4,165	\$27,400
YWCA of Rochester and Monroe County	25,280	4,241	29,521
Baden St. Settlement/Metro Council for Teen Potential	31,771	4,483	36,254
Society for the Protection and Care of Children	27,231	3,570	30,801

Family Resource Center	6,287	182	6,469
TOTAL	\$113,804	\$16,641	\$130,445

and \$16,641 is hereby appropriated for the 2016 Increase from the funds received pursuant to the amendatory agreement authorized in Section 1.

Section 3. Grant funds received pursuant to Section 1 are hereby appropriated in the amount of \$14,610 to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel costs to operate the Program.

Section 4. The amendatory grant agreement and provider agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 5. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District (RCSD) for implementation of the Program in RCSD schools. The term of such agreement shall be September 6, 2016, to June 30, 2019, contingent upon future budgets.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest** Hazel Washington  
City Clerk





**City of Rochester**

**City Clerks Office**

# **Certified Ordinance**

**Rochester, N.Y.,** \_\_\_\_\_

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 9, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 10, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-284

**Authorizing an agreement with Big Apple Deli Products, Inc. for the relocation of loading docks related to the Public Market Winter Shed Renovation and Expansion Project, as amended**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Big Apple Deli Products, Inc. for the relocation of their loading docks due to the Public Market Winter Shed Renovation and Expansion Project. The sum of ~~\$10530,000~~, or so much thereof as may be necessary, is hereby established as the compensation to be paid under the agreement, and shall be funded from Prior Years' Cash Capital (\$25,000), 2013-14 Cash Capital (\$14,170), 2014-15 Cash Capital (\$40,830), and Community Development Block Grant 2014-15, ED Financial Assistance Loan and Grant allocation of the Promote Economic Stability Fund (\$50,000).

Section 2. This agreement shall have a term of one year and shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 9.

Nays - None - 0.

**Attest**

*Aazel Washington*

**City Clerk**